

Right to Farm Program

Agricultural Mediation

How It Works

Mediation is a voluntary process in which a trained, impartial mediator helps disputing parties examine their mutual problems, identify and consider options, and determine if they can agree on a solution. A mediator has no decision-making authority. Successful mediation is based on the voluntary cooperation and participation of all the parties.

Benefits

Mediation can save landowners both time and costly legal fees. It is a free service, is confidential and generally takes only a few meetings to complete.

Eligibility

Mediation can be used to resolve right-to-farm disputes, credit disputes with the Farm Service Agency or private lenders, and other conflicts involving U.S. Department of Agriculture programs.

Right to Farm

The Right to Farm Act protects commercial farm owners and operators from restrictive municipal ordinances and public and private nuisance actions, provided that they operate responsibly and in accordance with federal and state laws, and meet certain other criteria. In the event of disputes, formal complaints must be filed with the appropriate County Agriculture Development Board or the State Agriculture Development Committee before any court actions can be taken. Complaints are addressed through a series of formal public hearings in which testimony is presented and witnesses may be called.

Mediation is an alternative to the more lengthy public hearing process and should be requested before public hearings begin.

Credit, USDA Appeals

Landowners should request mediation immediately after receiving notices of adverse determinations they would like to appeal.

Special Considerations

In all cases, all parties in a dispute must agree to mediation.

For More Information

Contact the State Agriculture Development Committee at (609) 984-2504.